

1  
2 A RESOLUTION FINDING, DETERMINING  
3 AND PATIFYING AN INDUCEMENT RESOLUTION  
4 OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION  
5 AUTHORIZING THE ISSUANCE AND SALE OF  
6 \$1,000,000 ECONOMIC REVENUE BONDS OF THE  
7 CITY OF FORT WAYNE, INDIANA,  
8 FOR THE PURPOSE OF INDUCING THE APPLICANT,  
9 (HELFRUECHNING REALTY PARTNERSHIP)  
10 TO PROCEED WITH THE ACQUISITION,  
11 REMODELING, RENOVATION AND EQUIPPING OF THE PROJECT.  
12

13 WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer")  
14 is authorized by I.C. §18-6-4.5 (the "Act") to issue revenue  
15 bonds for the financing of economic development facilities,  
16 the funds from said financing to be used for the acquisition,  
17 remodeling, renovation, and equipping of said facilities, and  
18 said facilities to be either sold or leased to another person  
19 or directly owned by another person; and  
20

21 WHEREAS, HELFRUECHNING REALTY PARTNERSHIP (the "Applicant")  
22 has advised the Fort Wayne Economic Development Commission and  
23 the Issuer that it proposes that the Issuer sell or lease eco-  
24 nomic development facilities to the Applicant or loan proceeds  
25 of an economic development financing to the Applicant for the  
26 same purpose, said economic development facility to be the pur-  
27 chase, remodeling, renovation and equipping of an existing build-  
28 ing and adjoining parking located at 229 East Berry Street, with-  
29 in the City limits of Fort Wayne, Allen County, Indiana (the  
30 "Project"); and  
31

32 WHEREAS, the completion of the Project will result in the  
diversification of industry and an increase of approximately 6  
new job opportunities, with an annual payroll of approximately  
\$50,000 immediately, and 10 new job opportunities with an annual  
payroll of approximately \$130,000 within three years thereafter,  
which will be of public benefit to the health, safety and general  
welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne

1 Economic Development Commission, it appears to this Council  
2 that the financing of the Project would be of public benefit  
3 to the health, safety and general welfare of the Issuer and  
4 its citizens; and

5 WHEREAS, the acquisition, remodeling, renovation and  
6 equipping of the Project will not have an adverse effect on  
7 any similar facility already constructed or operating in or  
8 about Fort Wayne, Indiana.

9 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF  
10 THE CITY OF FORT WAYNE, INDIANA:

11 SECTION 1. The Common Council finds, determines, rati-  
12 fies and confirms that the promotion of diversification of eco-  
13 nomic development and job opportunities in and near Fort Wayne,  
14 Indiana and in Allen County, is desirable to preserve the health,  
15 safety and general welfare of the citizens of the Issuer; and  
16 that it is in the public interest the Fort Wayne Economic Devel-  
17 opment Commission and said Issuer take such action as it lawfully  
18 may to encourage diversification of industry and promotion of job  
19 opportunities in and near said Issuer.

20 SECTION 2. The Common Council further finds, determines,  
21 ratifies and confirms that the issuance and sale of revenue bonds  
22 under the Act, in an amount not to exceed \$1,000,000 of the Issuer  
23 for the acquisition, remodeling, renovation and equipping of the  
24 Project and the sale or leasing of the Project to the Applicant  
25 for such purposes will serve the public purpose referred to above,  
26 in accordance with the Act.

27 SECTION 3. In order to induce the Applicant to proceed  
28 with the acquisition, remodeling, renovation and equipping of  
29 the Project, the Common Council hereby finds, determines, rati-  
30 fies and confirms that (i) it will take or cause to be taken such  
31 actions pursuant to the Act as may be required to implement the  
32 aforesaid financing, or as it may deem appropriate in pursuance  
thereof, provided that all of the foregoing shall be mutually

1 acceptable to the Issuer and the Applicant; and (ii) it will  
2 adopt such ordinances and resolutions and authorize the execu-  
3 tion of such instruments and the taking of such action as may  
4 be necessary and advisable for the authorization, issuance and  
5 sale of said economic development bonds.

6 SECTION 4. All costs of the Project incurred after the  
7 passage of this Inducement Resolution, including reimbursement  
8 or repayment of the Applicant of monies expended by the Appli-  
9 cant for planning, engineering, interest paid during construction,  
10 underwriting expenses, attorney and bond counsel fees, acquisi-  
11 tion, remodeling, renovation and equipping of the Project will  
12 be permitted to be included as part of the bond issue to finance  
13 said Project, and the Issuer will thereafter either sell or lease  
14 the same to the Applicant or loan the proceeds of such financing  
15 to the Applicant for the same purpose.

16 Dated this 14th day of July, 1981.

17 Virvan H. Schmidt  
18 COUNCILMAN  
19

20 APPROVED AS TO FORM AND LEGALITY

21 David B. Keller  
22 David B. Keller, Attorney for  
23 the Fort Wayne Economic  
24 Development Commission  
25  
26  
27  
28  
29  
30  
31  
32

Read the first time in full and on motion by C. Schmidt, seconded by A. Lee, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on 7-14-81, the 14 day of July, 1981, at 7 o'clock M., E.S.T.

DATE: 7-14-81

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by A. Lee, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>BURNS</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>EISBART</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>GIAQUINTA</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>NUCKOLS</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>SCHMIDT, D.</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>SCHMIDT, V.</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>SCHOMBURG</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>STIER</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>TALARICO</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>

DATE: 7-28-81

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING-MAP)        (GENERAL)        (ANNEXATION)        (SPECIAL)        (APPROPRIATION) ORDINANCE (RESOLUTION) No. B-59-81 on the 28th day of July, 1981.

ATTEST:  
Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

(SEAL)  
John Nuckols  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of July, 1981, at the hour of 1:00 o'clock P. M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 3rd day of August 1981, at the hour of 11 o'clock A. M., E.S.T.

Winfield C. Moses, Jr.  
WINFIELD C. MOSES, JR.  
MAYOR

BILL NO. R-81-07-13

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON Finance TO WHOM WAS REFERRED AN  
ORDINANCE A RESOLUTION FINDING, DETERMINING AND RATIFYING AN  
INDUCEMENT RESOLUTION OF THE <sup>FORT</sup> WAYNE ECONOMIC DEVELOPMENT  
COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF \$1,000,000  
ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA,  
FOR THE PURPOSE OF INDUCING THE APPLICANT, (HELFRUECHNING  
REALTY PARTNERSHIP) TO PROCEED WITH THE ACQUISITION, REMODELING,  
RENOVATION AND EQUIPPING OF THE PROJECT

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE NO PASS.

VIVIAN G. SCHMIDT, CHAIRMAN

*Vivian G. Schmidt*

JAMES S. STIER, VICE CHAIRMAN

*James S. Stier*

MARK E. GIAQUINTA

*Mark E. Giaquinta*

PAUL M. BURNS

*Paul M. Burns*

ROY J. SCHOMBURG

*Roy J. Schomburg*

CONCURRED IN

DATE 7/28/89 CHARLES W. WESTERMAN, CITY CLERK

INDUCEMENT RESOLUTION OF  
FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION  
ON APPLICATION OF  
HELFRUECHNING REALTY PARTNERSHIP

WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer") is authorized by Indiana Code §18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, remodeling and renovation of said facilities, and said facilities to be either sold or leased to the user or developer; and

WHEREAS, Helfruechning Realty Partnership (the "Applicant"), has filed its Application with the Fort Wayne Economic Development Commission (the "Commission"); and

WHEREAS, Applicant has advised the Commission that it proposes that the Issuer issue economic development revenue bonds and that the proceeds thereof (1) either be used by the Issuer to acquire, remodel and renovate an economic development facility and sell or lease the same to the Applicant; or (2) that such proceeds be loaned to the Applicant for the same purposes; and

WHEREAS, the economic development facility will consist of the renovation, remodeling and equipping of an office building located at the Southeast corner of Berry and Webster Streets, 229 West Berry Street, Fort Wayne, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase of job opportunities to be achieved by the completion of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens or the citizens of Allen County, Indiana; and

WHEREAS, the acquisition, remodeling and renovation of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in Allen County, Indiana.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION AS

FOLLOWS:

1. The Commission hereby finds and determines that the promotion of diversification of economic development and job opportunities in Fort Wayne, Indiana, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer, and that it is in the public interest that the Commission and the Issuer take such action as they lawfully may to encourage economic development, diversification of industry and promotion of job opportunities in and near the Issuer.

2. The Commission hereby finds and determines that the issuance and sale of economic development revenue bonds of the Issuer in an amount of approximately \$1,000,000 for the acquisition, remodeling and renovation of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant, will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, remodeling and renovation of the Project, the Commission hereby finds and determines that (i) it will take of cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing or as it may deem appropriate to said end; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; and (ii) it will adopt such resolutions and authorize the exe-



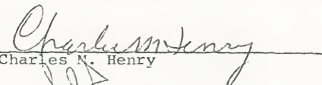
cution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds.

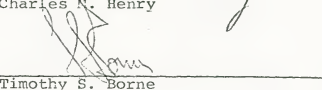
4. All costs of the Project which may be financed under the Act will be permitted to be included as part of the bond issue to finance the Project, and the Issuer will sell or lease the Project to the Applicant or loan the proceeds from the sale of the bonds to the Applicant for the same purposes.

ADOPTED this 2nd day of July, 1981.

FORT WAYNE ECONOMIC DEVELOPMENT  
COMMISSION

  
Sidney R. Sheray

  
Charles N. Henry

  
Timothy S. Borne

  
Phillip A. Howard

  
Stanley J. Joffe



COMMISSION CONCERNING THE PROPOSED FINANCING  
OF ECONOMIC DEVELOPMENT FACILITIES FOR  
Heifuechning Realty Partnership

Having been furnished certain data by the above applicant, and having had discussions with representatives of said applicant, the Fort Wayne Economic Development Commission now submits the following report pursuant to Indiana Code 18-6-4.5-16.

Description of Proposed Facilities

Acquire, remodel, renovate and equip an existing facility and adjoining  
parking lot located at 229 West Berry Street, within the City limits of  
Fort Wayne, Allen County, Indiana.

Estimate of Public Services Required

All public services, including water and sewage, now exist. No public facilities will be made necessary on account of the proposed facilities.

Total Project Cost

The total project cost for the purchase, construction and equipping of the facilities is estimated to be \$1,000,000.00, including costs of issuance of the economic development revenue bonds.

Number of Jobs and Estimated Payroll

6 immediately  
10 within three years

It is anticipated there will be approximately 6 - 10 new jobs created by this project with an estimated payroll increase of approximately \$50,000.00 annually.

immediately  
\$130,000.00  
within 3 yrs.

Adverse Competitive Effect

The construction of the facilities will not have an adverse competitive effect on any similar facilities already constructed or operating in or near Fort Wayne, Indiana.

Dated this 2 day of July, 1981.

  
Sidney R. Sheray

  
Charles Henry

  
Timothy Borne

  
Phillip Howard

  
Stanley Lipp

MINUTES

FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION

JULY 2, 1981

-----

A meeting of the Fort Wayne Economic Development Commission was held at 11:00 a.m. in Room 128 of the City-County Building, Fort Wayne, Indiana, on July 2, 1981.

Commission members present were: Sidney Sheray, Timothy Borne, Phillip Howard, Charles Henry and Stanley Lipp.

The meeting was called to order by Commission President Sidney Sheray.

Discussion of the Standard Building Partnership was continued to the July 16, 1981 Commission meeting.

The second item of business was the PRT project. Attorney Bill Hopkins spoke for the applicant. Legal notice of the public hearing for PRT was duly published in the Fort Wayne Journal-Gazette on June 27, 1981. The \$1,600,000 project will consist of the acquisition and equipping of an existing manufacturing facility at 1140 Hayden Street. No one spoke in opposition to the project. Mr. Henry motioned that the Commission enter into an inducement resolution. Mr. Howard seconded the motion, which was unanimously approved.

The next item of business was the final approval of the application of Pines of America. Legal notice of the public hearing for Pines of America was duly published in the Fort Wayne Journal-Gazette on June 27, 1981. Attorney Bill Hopkins spoke on behalf of the applicant. He reported Cincinnati Life Insurance Company is purchasing the issue of \$890,000. Interest rate is to be 11½% for a term of 20 years. No one spoke in opposition to the project. Mr. Borne motioned the project be approved, Mr. Howard seconded the motion, which was then unanimously approved.

The application of Helfreuchning Realty Partnership was then discussed. Legal notice of the public hearing for Helfreuchning Realty project was duly published in the Fort Wayne Journal Gazette on June 27, 1981. Attorney Arthur W. Freuchtenicht spoke on behalf of the Partnership. He reported that the \$1,000,000 project would consist of the acquisition, restoration and equipping of the International College Building, 229 W. Berry Street. No one spoke in opposition to the project. Mr. Borne moved the Commission enter into an Inducement Resolution. Mr. Lipp seconded the motion, which was passed unanimously.

Discussion was opened on the application of Realamerica Homes, Inc. Notice of the public hearing on the Realamerica Homes, Inc. project was duly published on June 27, 1981 in the Fort Wayne Journal-Gazette. Attorney Donald Landgraff spoke on behalf of the project. The \$3,750,000 project will consist of the construction of medical offices and support facilities to be located at 2410 Lake Avenue. No one spoke in opposition to the project. Mr. Howard moved that the Commission enter into an inducement resolution. Mr. Borne seconded the motion. The motion then passed unanimously.

Mr. Keller announced that he will no longer be working for the Commission. The Commission expressed its appreciation for Mr. Keller's service and expertise while he served as its attorney.

The Commission also expressed appreciation for the many years of service and dedication of former Commission member Dr. Jack Gren. A letter of appreciation will be sent to Dr. Gren.

The minutes of the Economic Development Commission Meeting held on June 18, 1981 were unanimously approved on motion by Mr. Borne and second by Mr. Sheray.

There being no further business before the Commission, the meeting was adjourned.

---

Timothy Borne, Secretary



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

13 July 1981

Debbie Shell  
E.D.C. Coordinator  
Room #880, City-County Building  
One Main Street  
Fort Wayne, IN 46802

Dear Debbie:

The property known as 229 West Berry Street is zoned "B-3-A" General Business. The "B-3-A" General Business zoning district permits all uses stated in the zoning ordinance for districts "R-1" Single Family Residential through "B-3-A".

Sincerely,

  
Gary F. Baeten  
Senior Planner

GFB:pb

DIGEST SHEET

B-81-07-13

TITLE OF ORDINANCE: Inducement Resolution for an Issue of \$1,000,000DEPARTMENT REQUESTING ORDINANCE: Economic Development Commission

SYNOPSIS OF ORDINANCE: The Project will consist of the purchase, re-  
modeling, renovating and equipping of an existing building and ad-  
joining parking located at 229 West Berry Street, within the City  
limits of Fort Wayne, Allen County, Indiana, on application of  
HELFRUECHNING REALTY PARTNERHSIP.

EFFECT OF PASSAGE: The construction of the above-mentioned Project  
creating 6-10 new job opportunities with an estimated payroll of  
\$50,000-\$130,000.

EFFECT OF NON-PASSAGE: None of the aboveMONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): None

ASSIGNED TO COMMITTEE (PRESIDENT): \_\_\_\_\_